REMARKS

Favorable reconsideration and allowance are respectfully requested for Claims 1-8 and 11 in view of the foregoing amendment and the following remarks.

Responsive to the rejections under 35 U.S.C. §112, first paragraph, the rejections are respectfully traversed. With regard to a clutch on the output shaft, the clutch 14 shown in Figure 1 and described at page 10, lines 7-25, operates to change a torque transmission course. Regarding a clutch on the input shaft, the clutch 814 in Figure 7, clutch 1014 in Figure 9, clutch 1114 in Figure 10, and clutch 14 in Figure 11 operate to change a torque transmission course. Thus, the subject matter is described in the specification, including the drawings, in such a way as to reasonably convey to one skilled in the art that the inventors had possession of the claimed invention. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 1 and 2 were rejected under 35 U.S.C. §102(e) as anticipated by Peterson et al. Claim 11 was rejected under 35 U.S.C. §103(a) as unpatentable over Peterson et al. in view of Park and further in view of Tabata et al. These rejections are respectfully traversed. Claims 9 and 10 were rejected under 35 U.S.C. §103(a) as unpatentable over Peterson et al. in view of Park. This rejection is, respectfully, moot in view of the cancellation of Claims 9 and 10.

Peterson et al. does not disclose or suggest, among other features, a clutch provided on an input shaft or an output shaft of the gear change apparatus to adjust a transmission torque between the input shaft and the output shaft during a period of changing torque transmission courses. The synchronizer in

B

Peterson et al. merely connects a ratio gear with a respective ratio gear. The synchronizer does not adjust a transmission torque between the input shaft and the output shaft during a period of changing torque transmission courses. No graduation of the torque is disclosed or implied by the synchronizers during a torque course change. Thus, it is respectfully submitted that the claimed invention is not anticipated by Peterson et al., as noted above. Accordingly, withdrawal of the rejection is respectfully requested.

Support for the amendment to Claim 1 is found at page 10, lines 7-25. At lines 11-14, the clutch is disclosed as gradually pressed by the hydraulic actuator which, in turn, gradually transmits the torque of the transmission input shaft to the transmission output shaft.

Since Claims 2, 5, 8, and 11 depend from Claim 1, Claims 2, 5, 8, and 11 are also patentably distinguishable over the cited references, as noted above. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 1-11 were rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 1-5 of U.S. Patent No. 6,341,541. Attached hereto is a Terminal Disclaimer in compliance with 37 C.F.R. §1.321(c). U.S. Patent No. 6,341,541 is commonly owned with this application. Accordingly, by way of the attached Terminal Disclaimer, withdrawal of the rejection is respectfully requested.

In view of the foregoing amendments and remarks, the application is respectfully submitted to be in condition for allowance, and prompt favorable action thereon is earnestly solicited.

B

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #381AS/49210).

Respectfully submitted,

James F. McKeown
Registration No. 25,406
William G. Ackerman
Registration No. 45,320

CROWELL & MORING, LLP
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844

JFM:WGA:sbh

MARKED-UP VERSION OF AMENDMENT

1. (Twice Amended) A power transmission apparatus of motor vehicles, comprising:

an engine;

a gear change apparatus provided between said engine and a vehicle drive shaft;

an electric rotary machine connected to an output shaft of said engine and said vehicle drive shaft via said gear change apparatus; and

a clutch provided on an input shaft or an output shaft of said gear change apparatus [in order to change a torque transmission course, and by which a gear change operation is carried out] to adjust a transmission torque between said input shaft and said output shaft during a period of changing torque transmission courses.

B